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United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
WASHINGTON, DC 20510-6250

October 7, 2005

The Honorable Norman Y. Mineta
Secretary
U.S. Department of Transportation
400 7th Street, S.W.
Washington D.C. 20590

Dear Secretary Mineta:

Pursuant to its authority under Rule XXV(k)(1) of the Standing Rules of the Senate, Section 101 of S. Res 445 (108th Congress), and Section 11(e) of S. Res 50 (109th Congress), the Committee on Homeland Security and Governmental Affairs has initiated an investigation into the Nation's preparedness for, and response to, Hurricane Katrina. As you know, the National Response Plan designates specific Emergency Support Functions for the Department of Transportation¹ ("Department" or "DOT") to perform in the case of incidents of national significance. To aid in the Committee's investigation, we request that you provide information (in accordance with the attached definitions and instructions) regarding the Department's roles and responsibilities in preparing for, and responding to, Hurricane Katrina.

Specifically, please:

1. Describe each of the Department's roles, responsibilities and authorities in providing emergency support functions under the National Response Plan. With respect to each specific role, responsibility or authority, please identify:
 - a. The statutory, regulatory or other source for that role, responsibility or authority;
 - b. The components within DOT involved in acting pursuant to that authority or discharging that role and responsibility;
 - c. The key personnel involved in acting pursuant to that authority or discharging that role and responsibility; and
 - d. To the extent that the sources identified in response to subpart (a) are not publicly available, please provide copies of them.
2. To the extent not provided in response to the previous question, please describe any other roles, responsibilities and authorities of the Department in preparing for and responding

¹For the purposes of this request, "Department of Transportation" means all DOT agencies and contractors working on their behalf and any affiliated quasi-governmental organizations.

to a domestic emergency. With respect to each specific role, responsibility or authority, please identify:

- a. The statutory, regulatory or other source for that role, responsibility or authority;
 - b. The component or components within DOT involved in acting pursuant to that authority or discharging that role and responsibility;
 - c. The key personnel involved in acting pursuant to that authority or discharging that role and responsibility; and
 - d. To the extent that the sources identified in response to subpart (a) are not publicly available, please provide copies of them.
3. Provide an organizational chart(s) of the Department, that reflects the organizational location of those entities within the Department responsible for emergency preparedness and response roles, authorities or responsibilities identified in response to (1) and (2). Within those charts, please identify the organizational locations of key personnel as identified in response to (1) and (2).
 4. Describe the command structure established and utilized at the Department to prepare for and respond to Hurricane Katrina. Please include all headquarters and field offices, as well as DOT representatives to interagency task forces, in your description, including but not limited to, the Office of the Secretary, the Secretary's Office of Security and Intelligence, the Crisis Management Center, the modal operations centers and DOT representatives to the Interagency Incident Management Group and the FEMA operations center. Please include the names and titles of key personnel at each level of the command structure and describe their responsibilities. To the extent structural or personnel adjustments may have been made during the course of the Department's preparation for, and response to, Hurricane Katrina, please describe those changes.
 5. Provide copies of all emergency and contingency plans and procedures and other related plans and procedures in effect as of August 23, 2005, for the Department, all Department elements and Gulf Coast regional offices and facilities thereof for near-term preparation for, and response to, emergencies and catastrophic incidents, including, but not limited to, Incidents of National Significance under the National Response Plan, Emergency or Major Disaster Declarations pursuant to the Stafford Act and other organic authorities.
 6. Identify and provide copies of all after-action reviews, reports, computer-generated time-lines or other assessments prepared during the past five years under the direction of, or under contract through, the Department assessing the performance of the Department, and its agencies, elements, personnel, or programs in response to emergencies and catastrophic incidents or exercises specifically including all previous hurricanes.

7. Provide all documents and electronic communications that DOT received regarding Hurricane Katrina from August 23 through September 6, 2005, from (a) any other agency or Department of the U. S. Government or contractors working on their behalf; (b) from any non-governmental organizations, companies or public utilities (c) any local or state agency and all documents and electronic communications that DOT created in response or as a result of documents or communications received from any such agencies or organizations. In addition, describe in detail (including specific dates, times, and the personnel involved) how, when and by whom the Department was first informed of the following events:
 - a. that it would need to prepare for, or respond to, Hurricane Katrina;
 - b. that the President issued emergency declarations for Louisiana, Mississippi and Alabama with respect to Hurricane Katrina;
 - c. that the President issued major disaster declarations for Louisiana, Mississippi and Alabama with respect to Hurricane Katrina;
 - d. that Hurricane Katrina was an Incident of National Significance; and
 - e. that the National Response Plan and certain Emergency Support Functions were activated.
8. Provide all documents that refer or relate to emergency or disaster planning or preparedness, including evacuation plans, of the states of Louisiana, Mississippi, or Alabama, or any localities therein, including, but not limited to, documentation submitted to the DOT modes as a condition of receiving grants or for other purposes, and any documents that refer or relate to DOT's review, consideration, analysis or approval of such plans or other documents.
9. General Preparation for and Response to Hurricane Katrina:
 - a. Provide a detailed description of how DOT was asked to act pursuant to its authorities, roles, and responsibilities in preparation for, or response to, Hurricane Katrina. Specifically, what was the Department asked to do, by whom and when? What actions were then taken as a result of those requests and when? Please also include the names and titles of key personnel involved in the request and action. In addition, please provide all documents that refer or relate to the request and action.
 - b. To the extent not included in response to subsection (a), describe any other actions the Department took pursuant to its authorities, or any other role or responsibilities it assumed specifically in preparation for or response to Hurricane Katrina. Please be specific as to what the Department did and when it was done, including the names and titles of key personnel involved. In addition, please provide all documents that refer or relate to the request and action.

- c. To the extent not included in response to subsections (a) and (b), describe any other actions the Department considered taking or offered to take pursuant to its authorities, or any other role or responsibilities it considered assuming or offered to assume specifically in preparation for or response to Hurricane Katrina. Please be specific as to what the Department considered or offered, when it considered or offered it, why such actions were not taken or such roles or responsibilities were not assumed, and the names and titles of key personnel involved. In addition, please provide all documents that refer or relate to the consideration or offer.
 - d. Describe each instance, if any, in which Department action was in any way hindered, delayed, limited or not taken because of concern over whether the Department had authority to take the action. Please indicate key personnel involved and how the issue was resolved. In addition, please provide all documents that refer or relate to the concern or delay.
10. Primary Responsibility for Emergency Support Function-1 (ESF-1):
- a. Provide all documents relating or referring to DOT's execution of its responsibilities as the primary agency for ESF-1 in preparation for, and response to, Hurricane Katrina, from August 23 through September 6, 2005, including but not limited to requests from Federal, state and local government officials for transportation services and arrangements with air carriers, commercial vessels, bus lines and military assets to fulfill those requests.
 - b. Provide all documents relating and referring to standing arrangements, policies and procedures DOT has with the Department of Defense and transportation owners and operators, including state and local government and private sector, to provide transportation services in the case of a major disaster or an incident of national significance.
 - c. Provide all communications between the Department of Homeland Security and DOT relating or referring to taskings and mission assignments under the National Response Plan ESF-1 in preparation for and response to Hurricane Katrina.
11. Under ESF-1, movements of Federal personnel, equipment and supplies are managed through a prioritization process. Please describe DOT's role, and DOT's understanding of FEMA's role, in assessing the prioritization information provided by other ESFs and prioritizing shipments.
12. To the extent not already covered in (10), provide all documents created or received from


August 23 through September 6, 2005 referring or relating to requests for assistance to, or offers of assistance from, or the consideration of making requests for, or accepting offers of assistance from, commercial airlines, bus lines, Amtrak and other rail carriers, or commercial ships, in transporting individuals from Louisiana, Mississippi or Alabama. All documents referring or relating to policies, procedures or guidance, or the consideration or development of such policies, procedures or guidance, for seeking assistance from commercial airlines, bus lines, Amtrak and other rail carriers, or commercial vessels in transporting individuals from a disaster area or potential disaster area.

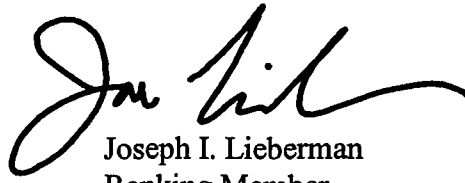
13. Provide all communications related to or referring to securing Ready Reserve Fleet and National Defense Reserve Fleet vessels and other commercial vessels, such as cruise liners, for use as temporary shelter for evacuees and aid workers in Louisiana and Mississippi.
14. Provide all documents compiled by the DOT Crisis Management Center referring or related to Hurricane Katrina, including but not limited to, situation reports, operations reports, time lines, and maps of transportation infrastructure.
15. Describe in detail the last scheduled transportation services out of and around New Orleans, in particular commercial air service, ferry service, intercity bus service, and Amtrak service, in advance of Hurricane Katrina's landfall.
16. Provide all documents and communications relating or referring to the Department's involvement in the evacuation of New Orleans in advance of Hurricane Katrina's landfall and after the levees broke flooding the city.
17. Provide all documents referring or relating to the waiver of Federal transportation safety regulations as a result of preparing for, or responding to, Hurricane Katrina, including but not limited to, the transportation or packaging of hazardous materials, emergency repairs to federal highways, and inspections of rail operators.
18. In relation to (17), in each instance where a waiver was issued, please describe how DOT came to the decision that such a waiver was necessary, for example, as the result of a request from a transportation operator to facilitate system recovery.
19. Provide all contracts entered into relating to Hurricane Katrina, including, but not limited to, contracts to rebuild or repair roads, bridges and other infrastructure, and all documents that relate to such contracts.
20. Provide all documents, assessment or reports regarding funds that were obligated or spent by DOT or its agencies in connection with Hurricane Katrina and its aftermath.

The Honorable Norman Mineta
October 4, 2005
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We request you provide the requested information as it becomes available, but not later than November 3, 2005. We thank you and your staff in advance for your cooperation. If you or your staff have any questions concerning this request, please contact Kathy Kraninger of the Committee's majority staff at 202-224-4751 or Jim McGee of the Committee's minority staff at 202-224-2627.

Sincerely,


Susan M. Collins
Chairman


Joseph I. Lieberman
Ranking Member